IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.799 OF 2005

Shri Datta Shikshan Prasarak
& Bahuddeshiya Mandal & Anr. ... Petitioners

V/s.

Shri Pradip Sahbrao Naiknavare & Ors. ... Respondents

Mr.D.W. Bhosale for Petitioner
Mr.I.M. Khairdi for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 5, 2005**

P.C.:

. This Petition challenges three interim orders. The first order which is challenged is dated 11.1.2005 allowing the application for interim relief filed by the Respondent herein. Pursuant to this order, the respondent is permitted to continue working in the school. The second order challenged is dated 21.2.2005 allowing the respondent to sign the muster. The third order dated 24.3.205 directs the Petitioner to deposit 75% of the total salary of the respondent herein in a bank.

2. The School Tribunal has prima facie found that the termination of service of the respondent is illegal

and therefore, has granted the interim relief. All findings by the Tribunal are recorded only on a prima facie basis and would not bind the Tribunal to take the same view while disposing off the matter finally. In these circumstances, the writ petition is rejected. It is clarified that all observations made in the impugned orders are prima facie and the Tribunal will not be influenced by the observations made in these impugned orders while deciding the appeal on merits.

3. The Tribunal is requested to dispose off the appeal as expeditiously as possible.